

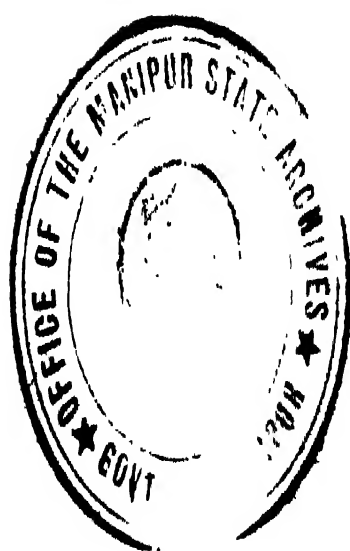
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222



Rules for the administration of Justice
and Police in the Manipur State.

1891

Sub:- Rules for the administration
of Justice and Police in the
Manipur State.



As the Court thinks a
more severe ^{punishment} sentence should
be inflicted it will report
the matter for orders of
the S'A

No ~~exclusion~~ but a Criminal
jurisdiction over British
Subjects will be exercised
by the Courts of Darchahat
or Aurang.

The Courts of S'P & D'P & S'P
Agent will exercise jurisdiction
over British Subjects:-

Each Magistrate of the Aurang
Court will receive rent free
50 pieces of land. He will
also receive the title of ^{Magistrate} ~~Magistrate~~
of the Aurang
There will be no appeal
against the orders
of the Aurang Court. but
the S'P Agent may at
any time call for the parties

No ~~any~~ close Records by
the Church Council. and
many by the Care of some
or some such order to be
made then & proper. —

All sentences of ~~reparation~~
ment. will be ~~made~~ ^{appointed} ~~not~~
in the Jail ~~at~~ ^{for} the
purpose.

There will be 3 Ministers
in the Criminal Side &
3 Ministers in the Civil
Side of the Church Point.
also 6 persons to each side
The Ministers will receive
4 pairs of land and persons
1 pair of land and persons.
The Ministers will keep
the title of
and persons the title of ~~English~~
~~Massachusetts~~ ~~Paiba~~

The following registers
will be kept by the Church

A. Criminal.

Register of Appeals from Panchayat.

Serial No.
Panchayat. Arre.
Date of filing appeal
Name of appellant.
" of respondent.
Nature of complaint -
Decision of Panchayat.
Date of ~~decision~~
Decision of Charap Court.
Date
Remarks.

B Criminal.

Register of original cases before the Charap Court.

Serial No.
Date of filing complaint.
Name of complainant -
" of accused.
Nature of complaint -
Decision of Court & date.
Remarks.

8/-7-12-91

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Note.

A Court called the
Municipal Court will be
appointed to try all
cases of a civil nature
and all cases of a criminal
nature except murder
& offences against the State
not otherwise triable by
the Town & Bench or in
the Village Bench or in
the Court will be triable only except
by the Town & Bench or in the
Village Bench or in the Court
Court will have power
to inflict punishment
not exceeding 2 years
or imprisonment or fine
of \$500 or both. If in
any case the Court thinks
a more severe punishment
should be inflicted it will
refer it for advice of the
Political Agent. J. M. C. C. C.

The verdict of the majority
of the judges, trials - will be
accepted, if in any case
the opinions are equally
divided the accused, person
will be acquitted.

There will be no appeal
or a right - against the order
of the Supreme Court. But the
"H. J. Decree" may at any
time call for the parties
to any case (Civil or Criminal)
decided by the court - showing
them by the case de novo
and no such order to be
made, think so, etc.

All sentences of imprisonment
will be carried out
in the jail appointed for
the purpose.

No Civil or Criminal
jurisdiction over British
Subjects will be exercised
by the Supreme Court.

The Court of the Pol Agent.
and the Pol Agent will
exercise jurisdiction over
British Subjects:

Three Mes Juris for the
Land Side & Three Mes Juris
for the River Side of the
Murray River. will be appointed
whose duties will be to

check the taxes on they are
paid & to be sure ~~to~~ them in the
Registers. There will also be
superior to each side of the
River.

The following registers
will be kept by the Murray
Court:

A Civil.

Registers of appeals from
the Courts.

1. Serial Number.
2. Purchaser's Name.
3. Date of filing appeal.

Name of appellant:-

Name of respondent:-

Nature of suit:-

Decree of lower court -
and date:-

Decree of the court -
and date:-

Remarks.

B line

Register of Original Suits
before the court:-

1. Serial number
2. Date of filing suit.
3. Name of Plaintiff.
4. Name of Defendant
5. Nature of suit-
6. Decree of court & date.
7. Remarks..

Civil.

Registry of Execution of Decrees.

1. Serial number.
2. Serial number of registry
to which are alluded & particular ^{reference}
3. Decree of Court.
4. Date of application for
execution:
5. Order of Court.
6. Execution has commenced.
7. Remarks.

Administrative

Registry of Appeals from Municipal.

1. Serial number.
2. Municipal Code
3. Date of filing appeal
4. Name of appellant.
5. Name of complainant
if necessary.
6. Nature of complaint.
7. Decree of Municipal.

and date.

Reason of the complaint
and date.

Remarks.



B. Annual.

Register of Registrations
before the Complaint -

1. Serial Number.

2. Date of Complaint.

3. Name of Complainant.

4. Name of Accused.

5. Nature of Complaint.

6. Reason of Complaint - & Date.

7. Remarks. -

The information in the
columns of the above register
will be supplied on application.
Fee of cost - to either of the
parties - in the case without
unnecessary delay.

Penalties for Offenses
to attempt to commit - murder

shall be punished with imprisonment - up to 7 years or with fine or with whipping.

2. Persons concerned in deserting or robbery or in harbouring deserters or robbers shall be punished with imprisonment - up to 7 years or with fine or with whipping or with any two or more of these punishments. If murder is committed by robbers or deserters - all the persons concerned in the robbery or deserting shall be liable to be punished for murder.

3. Willfully causing hurt to any person shall be punished with fine which may extend to 200/- the amount of the fine to be regulated according to

the nature of the hurt is
inflated. The whole or
part of the fine imposed
shall be paid to the injured
person.

4. Rape shall be punished
with imprisonment - up to
7 years, or with fine up to
300, or with whipping or
with any two or more of
these punishments.

5. Theft of property or receiving
stolen property shall be
punished with whipping
and with fine up to twice
the value of the stolen property.
If the property is not received
the person whose property
was stolen shall receive the
whole or part of the fine or
compensation.

Adultery shall be punished
with fine up to Rs. 300; the

fine shall be paid to the husband of the woman with whom the adultery was committed.

7. Attempts to commit offense, shall be punished with a penalty not exceeding half the penalty for the offense.

8. In all cases not provided for in these rules the punishment inflicted shall not exceed that last herein for the offense under the Indian Penal Code.

Rules for trial of cases by the District Court:-

1. Criminal trials shall be held in the presence of the accused. All witnesses shall be sworn or oath.
2. Every trial the complainant, witnesses shall be examined in the presence of the accused and the accused shall be allowed

With these questions.
When the complainant-
his witnesses have been
examined the accused
shall be called upon
for his defence and if
he desires to call witnesses
they shall be called & examined.
The Court shall keep a
record of the proceedings & if
the sentence passed in
such case.

In ordinary cases the
Court shall record
(1) Nature of Offence.
(2) Date of Commission.
(3) Date of Complaint.
Report:

(4) Name of Complainant-
if any.
(5) Name of defending counsel.
(6) The order passed.

In more important cases

where the record is better
or presentment for more
than one year the Court
shall also record in addition
to the first five points noted
in the last paragraph.

17) of the loss relating to the
loss of or damage to
property - the value of
the property concerned.

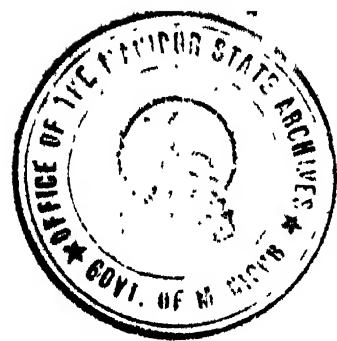
'81 The plea of accident
plus sheer ~~in~~ inability
any.

191 The names of the
persons for the persecution.

24. The names of the nations
of men, for the reference.

III The preceding used in
the use of correlation a
brief statement of the words
therefore.

12. The sentence is final
in the state.



6. Accused persons shall
be tried as soon as possible
and shall not be kept in
custody for a long time
without trial.

7. Women, old men and
persons shall not be whipped.
No whipping in excess of 20
strips shall be inflicted.

The following gentlemen
are appointed Magistrates
of the District Court:

Angus King, Esq.

King, Esq. and the Honorable
Judge.

Henry Thos. Chongkern.

Henry Thos. Chongkern.

Richard King, Esq.

Richard King, Esq.
Magistrate.

65
The Judge, it is well
known Seniority - according
to the order in the above list.
The Senior Magistrate
present will preside.

Almanac
of the 1st of A.
Manner.

Rules for the Administration of Justice and Police in the Manipur State.

The following rules relating to the administration of justice and police in the Manipur State shall be in force in all villages and communities in the Manipur valley which are under the direct administrative control of the Manipur State.

2. A rural policeman, called a *chaukidar*, will be appointed to every 100 houses.

Police.

His duties will be to keep himself cognisant of what goes on in his beat without in any way prying into the domestic or private life of the people; he will be subordinate to the Panchayat of the circle in which his beat lies; he will report immediately to the Panchayat the occurrence of any crime, or unnatural death; and he will report once a week on the existence of any epidemic of sickness, on the state of the crops, and on the welfare generally of the people in his beat. He will live in his beat, and will receive from the houseowners an annual payment of 12 *potes* (1 *pote* = 50 seers) of *dhan*, and from the State one-half *pari* (1 *pari* = 2½ acres nearly) of rice land free of rent. He will wear uniform when on duty, which he will keep up at his own expense. The *chaukidar* will be elected by the people, subject to the confirmation of the Political Agent.

Panchayat Courts.

3. Panchayat Courts will be of three classes:

- (1) Court having jurisdiction in the Town of Imphal;
- (2) Court having jurisdiction in the rural portion of the valley; and
- (3) Court having jurisdiction over Muhammadan subjects of the State.

4. A Panchayat Court, comprising five Magistrates, for the trial of cases arising among the Manipuri population of the Town of Imphal will be appointed. The Court will sit daily, except on Sundays

Town Panchayat Court.

and holidays, for the disposal of business that may be brought before it.

5. A Panchayat Court comprising five persons will be appointed for each circle in the rural portion of the Manipur valley. No circle will contain more than 1,000 houses. The Rural Panchayat

Rural Panchayat Court.

will assemble at least once a week for the disposal of business which may be brought before it.

6. A Panchayat Court, comprising five persons, for the trial of cases arising among Muhammadans being Manipuri subjects residing in the Manipur State will be appointed. The Muhammadan Pan-

Muhammadan Panchayat Court.

chayat will assemble at least twice a week for the disposal of business which may be brought before it.

7. All disputes of a civil nature the Panchayat will endeavour to settle amicably between the contending parties. If an amicable settlement

Rules applicable to all Panchayat Courts.

is declined and the subject matter in dispute is valued in the case of the Town Panchayat at Rs. 100 or less, and in the case of Rural or Muhammadan Panchayat at Rs. 50 or less, the Court will proceed to try it. If the subject matter in dispute is valued at more than Rs. 100 in the case of the Town Panchayat and Rs. 50 in the case of the Rural or the Muhammadan Panchayat, the party complaining should be referred to the Chirap Court.

8. Criminal offences of a minor degree will be within the cognisance of the Panchayats. Offences of a minor degree are—

Theft to the value of Rs. 50;	Trespass;
Simple hurt;	Mischief to the extent of Rs. 50; and
Assault;	Adultery.

9. The maximum fine to be inflicted will be Rs. 100 by the Town Panchayat and Rs. 50 by the Rural or the Muhammadan Panchayat, the whole or any portion of which may be granted as compensation to the aggrieved party. No other kind of punishment except fine may be inflicted by the Panchayats.

10. There will be two muharrirs on the civil side and two muharrirs on the criminal side of the Panchayat Courts. Their duties will be to keep count of the cases brought before the Court, and duly enter them in the registers.

11. The following registers will be kept by the Panchayat Courts :

A.—REGISTER OF CIVIL CASES.

- (1) Serial number.
- (2) Number of chaukidar's beat and name of circle.
- (3) Date of filing case.
- (4) Name of plaintiff.
- (5) Name of defendant.
- (6) Nature of suit.
- (7) Decision of Court and date.
- (8) If case is appealed, the decision of Chirap Court and date.
- (9) Remarks.

B.—REGISTER OF CRIMINAL CASES.

- (1) Serial number.
- (2) Number of chaukidar's beat and name of circle.
- (3) Date of filing case.
- (4) Name of complainant.
- (5) Name of accused.
- (6) Nature of complaint.
- (7) Decision of Court and date.
- (8) If case is appealed, the decision of Chirap Court and date.
- (9) Remarks.

The information in columns 1-7 will be supplied on application free of cost to either of the parties in the case without unnecessary delay.

12. In any case in which the complainant or plaintiff is a Muhammadan and the accused or defendant a Hindu, the latter will have the option of being tried by the Muhammadan Panchayat or by the Panchayat of the circle nearest to his home. In any case in which the accused or defendant is a Muhammadan and the complainant or plaintiff is a Hindu, the matter in dispute will be tried by the Muhammadan Panchayat. In cases in which the accused and defendants are mixed Hindus and Muhammadans, the matter in dispute will be referred for trial to the Chirap Court.

13. When any Panchayat sits as a Court for the trial of a criminal offence or a civil suit, it shall comprise either three or five members, and the verdict of the majority will be accepted. If at the assembly of the Court there is found to be an even number of members, lots will be cast, and in accordance with the result one member will withdraw and will not sit in Court for the trial of any case brought before it that day.

14. No Civil or Criminal jurisdiction over British subjects will be exercised by any Panchayat Court.

15. Cases of a nature not triable by a Panchayat Court, or which the Court feels deserving of a more severe punishment than it has the power to inflict, will be referred by the Panchayat to the Chirap Court.

16. No member of a Panchayat will sit to try any case in which he is interested or in which any of his relatives are concerned.

17. A member of a Panchayat will serve for a period of three years, after which he may retire. Two-fifths of the members of a Panchayat will retire by rotation each year, but they may be re-appointed.

18. Each member of the Rural and Muhammadan Panchayat will receive a *pari* (1 *pari* = 2½ acres nearly) of land rent free during his term of office. A member of the Town Panchayat will be entitled to 25 *paris* of land rent free while in office.

19. Each member of a Panchayat Court will receive the honorary title, during term of office, of *Wacentoba*.

20. A Court, called the Chirap, comprising five Magistrates, will be appointed to try all cases of a civil nature exceeding Rs. 100 in value, and all cases of a criminal nature, except murder and offences against the State, not ordinarily triable by or which are referred by the Town, Rural, or Muhammadan Panchayats, and to hear appeals from these Courts. The Court will assemble daily, except on Sundays and holidays, for disposal of business which may be brought before it.

21. In criminal cases the Court will have power to inflict punishment not exceeding two years' rigorous imprisonment or a fine of Rs. 500, or whipping, or any two or more of these punishments. If in any case the Court thinks that a more severe punishment should be inflicted, it will refer it for orders of the Political Agent. The verdict of the majority of the Magistrates will be accepted. If in any case the opinions are equally divided, the accused person will be acquitted.

22. Any person being dissatisfied with the order of a Panchayat Court passed in any case, civil or criminal, may within two weeks appeal to the Chirap Court.

23. Subject to rule 32, all appellate and original orders of the Chirap Court passed in any case, civil or criminal, shall be final.

24. No civil or criminal jurisdiction over British subjects will be exercised by the Chirap Court.

25. Each Magistrate of the Chirap Court will, during incumbency, receive rent free 50 *paris* of land. He will also receive the honorary title, during term of office, of *Angamba*.

26. Three muharrirs for the civil side and three muharrirs for the criminal side of the Chirap Court will be appointed, whose duties will be to check the cases as they are filed, and duly enter them in the registers. There will also be six peons to each side of the Court.

27. The following registers will be kept by the Chirap Court :

A.—CIVIL.

Register of Appeals from Panchayats.

- (1) Serial number.
- (2) Panchayat circle.
- (3) Date of filing appeal.
- (4) Name of appellant.
- (5) Name of respondent.
- (6) Nature of suit.
- (7) Decision of Panchayat and date.
- (8) Decision of Chirap Court, and date.
- (9) Remarks.

B.—CIVIL.

Register of Original Suits before the Chirap Court

- (1) Serial number.
- (2) Date of filing suit.
- (3) Name of plaintiff.
- (4) Name of defendant.
- (5) Nature of suit.
- (6) Decision of Court, and date.
- (7) Remarks.

C.—CIVIL.

Register of Execution of Decrees.

- (1) Serial number.
- (2) Serial number of register to which case alludes and parties named.
- (3) Decision of Court.
- (4) Date of application for execution.
- (5) Order of Court.
- (6) Execution how carried out.
- (7) Remarks.

A.—CRIMINAL.

Register of Appeals from Panchayat

- (1) Serial number.
- (2) Panchayat circle.
- (3) Date of filing appeal.
- (4) Name of appellant.
- (5) Name of complainant or accused.
- (6) Nature of complaint.
- (7) Decision of Panchayat, and date.
- (8) Decision of Chirap Court, and date.
- (9) Remarks.

B.—CRIMINAL.

Register of Original Cases before the Chirap Court.

- (1) Serial number.
- (2) Date of filing complaint.
- (3) Name of complainant.
- (4) Name of accused.
- (5) Nature of complaint.
- (6) Decision of Court, and date.
- (7) Remarks.

The information in the columns of the above registers will be supplied on application free of cost to either of the parties in the case without unnecessary delay.

Punishments for criminal offences.

28. The following punishments may be inflicted for criminal offences :

- (1) Attempts to commit murder shall be punished with imprisonment up to seven years or with fine or with whipping.
- (2) Persons convicted of dacoity or robbery, or of harbouring dacoits or robbers, shall be punished with imprisonment up to seven years, or with fine, or with whipping, or with any two or more of these punishments. If murder is committed by robbers or dacoits, all persons concerned in the robbery or dacoity shall be liable to be punished for murder.
- (3) Wilfully causing hurt to any person shall be punished with fine which may extend to Rs. 200, the amount of the fine to be regulated according to the nature of the hurt inflicted. The whole or part of the fine imposed shall be paid to the injured person.
- (4) Rape shall be punished with imprisonment up to seven years, or with fine up to Rs. 300, or with whipping, or with any two or more of these punishments.
- (5) Petty theft or receiving stolen property shall be punished with whipping and with fine up to twice the value of the stolen property. If the property is not recovered, the person whose property was stolen shall receive the whole or part of the fine as compensation.
- (6) Adultery shall be punished with fine up to Rs. 300. The fine shall be paid to the husband of the woman with whom the adultery was committed.
- (7) Attempts to commit offences shall be punished with a penalty not exceeding half the penalty for the offence.
- (8) In all cases not provided for in these rules, the punishment inflicted shall not exceed that laid down for the offence under the Indian Penal Code.
- (9) Women, old men, and sick persons shall not be whipped. No whipping in excess of 30 stripes shall be inflicted. Whipping to be inflicted with a light rattan not less than half inch in diameter, and on the posterior.

29. The following rules of procedure will be observed by the Chirap Court at

Rules of procedure at criminal trials in the Chirap Court criminal trials :

- (1) Criminal trials shall be held in the presence of the accused. All evidence shall be given on oath.
- (2) At every trial the complainant and his witnesses shall be examined in the presence of the accused, and the accused shall be allowed to ask them questions. When the complainant and his witnesses have been examined, the accused shall be called upon for his defence, and if he desires to call witnesses, they shall be called and examined.
- (3) The Court shall keep a record of the cases tried by it and the sentence passed in each case.
- (4) In ordinary cases the Court shall record—
 - (a) Nature of offence.
 - (b) Date of commission.
 - (c) Date of complaint or report.
 - (d) Name of complainant if any.
 - (e) Name and residence of accused.
 - (f) The order passed.
- (5) In more important cases, that is, where the accused is liable to imprisonment for more than one year, the Court shall also record, in addition to the first five points noted in the preceding rule,—
 - (g) If the case relates to the loss of or damage to property, the value of the property concerned.
 - (h) The plea of the accused and his examination (if any).
 - (i) The names of the witnesses for the prosecution.
 - (j) The names of the witnesses (if any) for the defence.
 - (k) The finding and, in the case of conviction, a brief statement of the reasons therefor.
 - (l) The sentence or final order, and date.
- (6) Accused persons shall be tried as soon as possible, and shall not be kept in custody for an unnecessarily long time without trial.

30. The Assistant to the Political Agent will exercise the powers of a Magistrate of the first class as laid down in the Indian Criminal Procedure Code, and may try all cases except murder and rebellion against the State.

Court of the Assistant to the Political Agent.

31. An appeal against the order of the Assistant to the Political Agent passing a sentence exceeding six months' imprisonment or a fine exceeding Rs. 500 will, if preferred within two weeks from the date of sentence, lie to the Political Agent.

32. The Political Agent will try all cases, civil and criminal, to which a European British subject is a party; he may also at any time call for the records of any civil or criminal case tried by the Assistant to the Political Agent, or by the Chirap Court, and reverse the sentence or order passed thereon, or he may try the case *de novo* or pass such order as he may deem fit.

Court of the Political Agent.

33. The Political Agent may try any criminal case brought before his Court, and pass sentence accordingly. All sentences of death, or imprisonment exceeding seven years, shall be subject to confirmation by the Chief Commissioner of Assam, to whom the records will be submitted.

34. The Chief Commissioner of Assam may call for the records in any case tried by the Courts in Manipur, and reverse the sentence or pass such orders as he may deem fit.

Revisional powers of the Chief Commissioner.

No. 1878 E.

FROM

THE SECRETARY TO THE GOVERNMENT OF INDIA,

TO

THE CHIEF COMMISSIONER OF ASSAM.

FOREIGN DEPT.

SIMLA, the 21st September 1891,

SIR,

In continuation of the correspondence ending with my telegram No. 48 N.-E.; dated the 12th September 1891, regarding the regrant of the Manipur State, I am directed to forward the enclosed copy of a notification by the Governor-General in Council, No. 1862 E., published in the *Gazette of India* on the 18th instant.

2. The sanad conferring the Chiefship on Chura Chand, son of Choubi Yaina, is herein enclosed, and should be made over to the new ruler on the occasion of his investiture. A copy of the sanad is enclosed for your information and for record in your office. You will observe that it provides for the complete subordination of the Manipur State. As the new Raja will be a ruling Chief with a salute of 11 guns he will be entitled to the style of Highness.

3. The investiture of the new Raja should be carried out under your orders without delay. The ceremony should be as public as circumstances will allow. The sanad should be carefully translated into Manipuri and read aloud in Darbar at the investiture, and in the meantime all publicity may be given to the contents of the notification. On the occasion of the investiture you should if possible arrange that the chief persons in the State shall in some suitable manner publicly express their allegiance to the new Chief; and you should make it quite clear that his right depends solely upon his selection by the Government of India, and that the Government of India will not allow that right to be called in question on any ground whatever.

4. Your proposals regarding the levy of tribute will be awaited. At present the information before the Governor-General in Council regarding the resources of Manipur is not sufficiently definite to enable His Excellency to pass orders on this point.

5. The Governor-General in Council has further determined that a fine of which the payment may be spread over a term of years shall be exacted from the Manipur State as a penalty for its misconduct. Your opinion is invited regarding the amount of such fine. I am to suggest that a sum of

2½ lakhs of rupees (British) may be taken as the aggregate contribution on this account. According to your note of July 16th, 1891, this would represent the pecuniary loss to Government caused by the outbreak. The contribution might perhaps be taken in labour employed upon the construction of good military roads.

6. With regard to the administration of the State during the minority, Major Maxwell is hereby appointed Political Agent in Manipur and Superintendent of the State, with full powers. He should exercise those powers with due regard for the customs and traditions of the Manipuris, and should endeavour to interfere as little as possible with existing institutions, in so far as they may be compatible with peace and good order.

7. The education of the newly selected Chief is one of the objects to which the attention of the Political Agent should be directed. I am to say that he should remain as much as possible in Manipur, and that the aim should be to make him a practical ruler, contented with his position and surroundings, and willing to spend his life in the management of his State. A complete English education is a matter of secondary importance.

8. I am to inform you in conclusion that, although the Government of India have not thought it desirable to annex the Manipur State, they have given careful attention to the arguments advanced in your note of the 16th July 1891.

I have the honour to be,

Sir,

Your most obedient servant,

(Sd.) H. M. DURAND,
Secretary to the Government of India.



